IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 6027 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.5520/2007 Dated 12/09/2007
CMP.3268/2007 of J.M.F.C.-I, ALUVA
CRIME NO.1099/06 OF ALUVA POLICE STATION

.....

: PETITIONER/2ND ACCUSED:

JINEESH @ JINAPPI, S/O. RAJAN,
VAYALUPPADAM HOUSE, THATHAPPILLY, KIZHAKKEPRAM,
KOTTUVALLY, PARAVUR TALUK.

BY ADV. SRI.RAJIV NAMBISAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 6027 of 2007

Dated this the 4th day of October, 2007

ORDER

Third application for regular bail. The petitioner is the 2nd accused. He faces allegations under Sec.395 of the IPC. The alleged incident took place on 24/8/06. The petitioner was arrested on 9/7/07. He continues in custody from that date. Earlier applications for regular bail filed by the petitioners were dismissed as per the orders dated 21/8/07 in B.A.No.5069/07 and 12/9/07 in B.A.No.5520/07. I have adverted to the facts in detail in the said orders. This order must be read in continuation of the said orders. I am hence not adverting to the facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted the full complement of three months' time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 9/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays, Wednesdays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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